

UNITED STATES NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT MARTIAL

UNITED STATES

)

) VICTIM'S LEGAL COUNSEL

) NOTICE OF APPEARANCE

V.

)

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LT XXXXX XXXXXX XXXX

)

DATE: XX MON YEAR

1. Pursuant to the Uniform Rules of Practice before Navy-Marine Corps Courts-Martial Uniform Rules, the Northern Judicial Circuit Rules of Practice Circuit Rules, I, LCDR SO AND SO, JAGC, USN, certified Victim's Legal Counsel, hereby respectfully provide notice to the Circuit Military Judge of my appearance on behalf of VICTIM'S, USN and request to be notified of all proceedings and filings throughout the duration of this case. By and through counsel, the victim also formally asserts her rights pursuant to all applicable law, including but not limited to the following rights under Article 6b, UCMJ, 10 U.S.C. §806b:

- a. The right to be reasonably protected from the accused (10 U.S.C. § 806b(a)(1));
- b. The right to reasonable, accurate and timely notice of any of the following:
 - i. a public hearing concerning the continuation of confinement prior to trial of the accused. (10 U.S.C. §806b(a)(2)(A))
 - ii. A preliminary hearing under 10 U.S.C. §832 relating to this offense. (10 U.S.C. §806b(a)(2)(B))
 - iii. A court-martial relating to the offense. (10 U.S.C. §806b(a)(2)(C))
 - iv. A public proceeding of the service clemency and parole board relating to the offense. (10 U.S.C. §806b(a)(2)(D))
 - v. The release or escape of the accused, unless such notice may endanger the safety of any person. (10 U.S.C. §806b(a)(2)(E));
- c. The right not to be excluded from any public hearing or proceeding described above,

1 unless the military judge, after receiving clear and convincing evidence, determines that
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3 testimony by the victim of an offense would be materially altered if the victim heard other
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5 testimony at that hearing or proceeding. (10 U.S.C. §806b(a)(3));

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7 d. The right to be reasonably heard at any of the following:

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9 i. A public hearing concerning the continuation of confinement prior to trial of
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11 the accused. (10 U.S.C. §806b(a)(4)(A))

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13 ii. A sentencing hearing relating to the offense. (10 U.S.C. §806b(a)(4)(B))

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15 iii. A public proceeding the service clemency and parole board relating to the
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17 offense. (10 U.S.C. §806b(a)(4)(C))

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19 e. The reasonable right to confer with the counsel representing the Government at any
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21 proceeding described above. (10 U.S.C. §806b(a)(5))

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23 f. The right to receive restitution as provided in law. (10 U.S.C. §806b(a)(6))

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25 g. The right to proceedings free from unreasonable delay. (10 U.S.C. §806b(7))

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27 h. The right to be treated with fairness and with respect for the dignity and privacy of the
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29 victim of an offense under the UCMJ. (10 U.S.C. §806b(a)(8));

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31 2. Although I am neither trial or defense counsel, I am certified under Article 27(b) and am in
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33 good standing before the XX State Bar to which I am admitted to practice. I have not acted in
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35 any manner which might disqualify me in the above captioned court-martial.

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37 3. To permit a meaningful exercise of VICTIM's rights and privileges, I respectfully request
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39 this Court direct the defense and government to provide me with informational copies of
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41 motions and accompanying papers filed pertaining to issues that fall under Military Rules of
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43 Evidence 412, 513, 514, and 615 and in which VICTIM's rights and privileges are addressed.

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45 4. VICTIM has limited standing in this court-martial, and VICTIM reserves the right to
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47 make factual statements and legal arguments herself or through counsel.

1 5. My contact information is: [XXXX](#) (email) or XXX (phone).

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4 Respectfully submitted,

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9 XXXXXX
10 LCDR, JAGC, USN
11 VICTIM'S LEGAL COUNSEL

12 *****
13 I hereby attest that a copy of the foregoing notice of appearance was served on the court,
14 Government, and Defense counsel via email on XX January 2014.

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